

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IRA MERCER,

Plaintiff,

-against-

DETECTIVE CHRISTOPHER SALLY, et al.,

Defendants.

24-CV-2803 (JGLC) (OTW)

ORDER

ONA T. WANG, United States Magistrate Judge:

The Court is in receipt of ECF Nos. 59 and 61, Defendant The City of New York's ("the City") "Letter Motion to Stay" and Plaintiff's "Motion for Discovery and Inspection of Evidence", respectively.

For the following reasons, the City's application is **DENIED**. The Plaintiff's application is **GRANTED IN PART, DENIED IN PART**.

The Court directed the City to file any motion for a stay of discovery by July 2, 2025. (ECF 60). The City's instant Motion was filed July 3, 2025 and is **DENIED** as untimely.

Plaintiff's Motion for Discovery is **GRANTED IN PART** to the extent that the City shall make its initial disclosures to include informing Mr. Mercer of any information regarding cases that were open at the time of his arrest on April 28, 2023. (ECF Nos. 55 at 1 & 2; ECF 1). All other applications within ECF 61 are **DENIED** as premature.

IT IS FURTHER ORDERED that the Parties file a Rule 26(f) Report and Proposed Case Management Plan by **August 15, 2025**. If the parties are unable to agree to a Proposed Case Management Plan, they may file separately. The parties are directed to use the Court's

template, located at

https://www.nysd.uscourts.gov/sites/default/files/practice_documents/Case%20Management%20Plan%20and%20Scheduling%20Order_Updated_v1.pdf

The parties are further directed to discuss whether they wish to consent to magistrate judge jurisdiction for all purposes. If the parties decide to consent, they are directed to submit one, completed Notice, Consent and Reference of a Civil Action to a Magistrate Judge form, by **August 15, 2025**, which is located at <https://www.nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf>. If the parties do not fully consent to magistrate judge jurisdiction, they may circle the appropriate choice on the Rule 26(f) Report.

The Clerk of Court is respectfully directed to close ECF Nos. 59 and 61.

SO ORDERED.

Dated: July 29, 2025
New York, New York

/s/ Ona T. Wang
Ona T. Wang
United States Magistrate Judge